

REMARKS

Claims 1-21 are currently pending in the application. Claims 1, 14, and 19 have been amended. Applicants respectfully request reconsideration of the pending claims in view of the following remarks.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejected Claims 1-21 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,931,822 ("Bemis").

Bemis does not disclose the subject matter of amended independent Claim 1. Specifically, Bemis does not disclose a medical device for draining a liner-type suction canister, the device including a support member connected to the swingarm for supporting the liner-type suction canister, the swingarm adapted to move the liner-type suction canister between a first position and a second position.

Rather, Bemis discloses a cleaning station 400 for draining and cleaning a suction canister 14. The station 400 includes support posts 456, 460 and a holding bracket 464 on each of the support posts 456, 460. The station 400 further includes a housing 484, 488 vertically moveable relative to the support posts 456, 460, however, the housings 484, 488 do not support the suction canister in a way that allows the canister to be movable between a first position and a second position.

For at least these reasons, Bemis does not disclose the subject matter of independent Claim 1. Accordingly, Claim 1 is allowable. Claims 2-13 depend from Claim 1, and are allowable for at least the reasons Claim 1 is allowable. Claims 2-13 may include additional patentable subject matter for reasons not discussed herein.

Bemis does not disclose the subject matter of amended independent Claim 14. Specifically, Bemis does not disclose a medical device for draining the fluid contained in a liner-type suction canister, the device including a drainhead pivotable with respect to the swingarm, the drainhead having a passageway therein, the drainhead moveable between a first and a second position, the drainhead adapted to engage the liner-type suction canister to enable fluid communication between the passageway and the fluid contained in the liner-type suction canister when the drainhead is in the second position.

Rather, Bemis discloses a cleaning station 400 for draining and cleaning a suction canister 14. The station 400 includes support posts 456, 460 and a holding bracket 464 on each of the support posts 456, 460. The station 400 further includes a housing 484, 488

vertically moveable relative to the support posts 456, 460. The housing 484, 488 includes a cleaning probe 492 depending therefrom. The holding bracket 464 is on the support posts 456, 460 and is not directly connected to any part of the housing 484, 488. The cleaning probe 492 does not move independently with respect to the housing 484, 488. The cleaning probe 492 does not pivot with respect to the housing 484, 488, but rather only moves vertically when the housing 484, 488 moves.

Accordingly, independent Claim 14 is allowable. Claims 15-16 depend from Claim 14, and are allowable for at least the reasons Claim 14 is allowable. Claims 15-16 may include additional patentable subject matter for reasons not discussed herein.

Bemis does not disclose the subject matter of independent Claim 17. Specifically, Bemis does not disclose a medical device for draining fluid contained in a liner-type suction canister, the device including a swingarm pivotably coupled to the housing, the swingarm movable between a first position and a second position, the swingarm including a support member adapted to support the liner-type suction canister and a drainhead having therein a passageway, the drainhead adapted to engage the cover of the liner-type suction canister to permit fluid to drain from the liner-type suction canister through the drainhead to the housing.

Rather, the housing 484, 488 of Bemis can only move up and down. There is no indication that the housing 484, 488 of Bemis can pivot with respect to the support posts 456, 460.

Accordingly, independent Claim 17 is allowable.

Bemis does not disclose the subject matter of independent Claim 18. Specifically, Bemis does not disclose a method for draining a liner-type suction canister filled with fluid, the method comprising the acts of placing the liner-type suction canister on a swingarm of a drainage device and rotating the swingarm with the liner-type suction canister thereon.

The station 400 of Bemis does not include a swingarm upon which the suction canister is positioned nor a swingarm that rotates. The housing 484, 488 of Bemis does not rotate – it can only move up and down.

Accordingly, independent Claim 18 is allowable.

Bemis does not disclose the subject matter of amended independent Claim 19. Specifically, Bemis does not disclose a method for draining a liner-type suction canister filled with fluid, the method comprising the acts of placing the liner-type suction canister on a

swingarm of a drainage device and rotating the swingarm to move the liner-type suction canister.

As noted above, the station 400 of Bemis does not include a swingarm upon which the suction canister is positioned nor a swingarm that rotates. The housing 484, 488 of Bemis does not rotate – it can only move up and down. In addition, the housings 484, 488 do not support the suction canister in a way that allows the canister to be moved.

Accordingly, independent Claim 19 is allowable.

Bemis does not disclose the subject matter of independent Claim 20. Specifically, Bemis does not disclose a method for draining a liner-type suction canister filled with fluid, the method comprising the acts of placing the liner-type suction canister on a swingarm of a drainage device when the swingarm is in a first position and rotating the swingarm from its first position to a second position.

The station 400 of Bemis does not include a swingarm upon which the suction canister is positioned nor a swingarm that rotates. The housing 484, 488 of Bemis does not rotate – it can only move up and down.

Accordingly, independent Claim 20 is allowable. Claim 21 depends from Claim 20, and is therefore allowable for at least the reasons Claim 20 is allowable. Claim 21 may include additional patentable subject matter for reasons not discussed herein.

CONCLUSION

In view of the foregoing, entry of this Amendment and allowance of the pending claims are respectfully requested. The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

/julie a. haut/

Julie A. Haut
Reg. No. 51,789

Docket No. 015005-9450-00
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560